

Exhibit D

FICK & MARX LLP

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January 5, 2021

By U.S. Mail and E-Mail

Warden A. Boncher
FMC Devens
P.O. BOX 880
Ayer, MA 01432
[*DEV-ExecAssistant@bop.gov*]

**Re: Richard Gaffey, Reg. No. 01319-138, Request for Compassionate Release,
Home Confinement, or Furlough**

Dear Warden Boncher:

We represent inmate Richard Gaffey and write to request that the Bureau of Prisons file a motion for a reduction in his sentence (compassionate release), pursuant to 18 U.S.C. § 3582(c)(1)(A). Alternatively, we request that the Bureau of Prisons transfer him to home confinement or grant him a medical furlough, at least on a temporary basis.

We understand that Mr. Gaffey has tested positive COVID-19. Given his age and medical conditions, he is at extreme risk of complications or death.

Accordingly, we submit that extraordinary and compelling reasons exist here to warrant compassionate release, home confinement, or furlough.

Medical Condition

Mr. Gaffey is a seventy-six-year-old cancer survivor who currently suffers from hypertension, stage three chronic renal failure, type two diabetes, a high risk of coronary artery disease, and obesity, all of which – along with his advanced age – place him at extremely high risk for severe illness or death resulting from COVID-19.¹ Mr. Gaffey also suffers from inflammation of the prostate, chronic inflammation of the esophagus, and a history of colonic polyps.

¹ See Center for Disease Control publication identifying certain underlying medical conditions that create an increased risk for severe illness from COVID-19, available at <https://www.cdc.gov/coronavirus/2019-ncov/need-extra-precautions/people-with-medical-conditions.html>.

Warden, FMC Devens

Re: Richard Gaffey, Reg. No. 01319-138

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Page 2 of 2

Release Plan and Public Safety

If released, Mr. Gaffey would be picked up at FMC Devens by his daughter, Kimberly Gaffey. He would then reside at home with his wife at 3 Onondaga Lane, Medfield, MA, where he would be able to safely quarantine in a separate room. His family will arrange for a visiting nurse or other home health aide if necessary. He would receive non-emergency medical care from his longtime primary care physician, Dr. Adolf Karchmer of Beth Israel Deaconess Medical Center in Boston.

Mr. Gaffey has never been a threat to the community. He had no criminal history prior to the instant, non-violent offense.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read 'William W. Fick', with a stylized flourish at the end.

William W. Fick